



RICK SNYDER
GOVERNOR

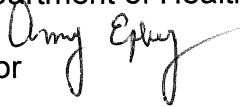
STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GRETHER
DIRECTOR

VIA E-MAIL

TO: Governor Rick Snyder
Senate Natural Resources Committee Members
Senate Health Policy Committee Members
House Natural Resources Committee Members
House Health Policy Committee Members
Nick Lyon, Director, Department of Health and Human Services

FROM: C. Heidi Grether, Director  **Acting**

DATE: February 6, 2018

SUBJECT: 2017 Medical Waste Regulatory Program Report

In accordance with Section 13827(3)(b) of the Medical Waste Regulatory Act (MWRA), Part 138 of the Public Health Code, 1978 PA 368, as amended, attached is the Department of Environmental Quality's (DEQ) report on the Medical Waste Regulatory Program for fiscal year 2017.

Various types of facilities in Michigan, including hospitals, dental offices, funeral homes, body art facilities, and many others, generate regulated medical waste. The primary function of the MWRA and the program is to safeguard public health and the environment from exposure to potential hazards resulting from the improper handling, storage, treatment, and/or disposal of regulated medical waste. In addition to an introduction and brief history of the MWRA and the program, this annual report includes information regarding funding and operation of the program, current initiatives, program developments, registrant statistics, and incident summaries.

If you need further information, please contact Jack Schinderle, Director, Waste Management and Radiological Protection Division, at 517-284-6551; or you may contact me at 517-284-6700.

Attachment

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cc/att: Ellen Jeffries, Director, Senate Fiscal Agency
Mary Ann Cleary, Director, House Fiscal Agency
Al Pscholka, Director, State Budget Office
Dick Posthumus, Governor's Office
Darin Ackerman, Governor's Office
Angela Ayers, Governor's Office
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2017 ANNUAL REPORT Medical Waste Regulatory Program

Prepared By:
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February 6, 2018

INTRODUCTION

The Medical Waste Regulatory Act (MWRA), Part 138 of the Public Health Code, 1978 PA 368, as amended, was enacted in 1990, in response to incidents of medical waste washing ashore on the beaches of Lake Erie and Lake Michigan. Administrative rules were adopted in 2000. The MWRA authorizes State regulatory oversight of medical waste producing facilities including the identification and registration of these facilities, investigations of reported violations of the MWRA, and enforcement of the statute. Section 13827(3)(b) of the MWRA requires that an annual report be submitted to the Governor, the standing committees in the Senate and the House of Representatives with jurisdiction over public health matters, and the Department of Health and Human Services. This report is for the period of October 1, 2016, to September 30, 2017, fiscal year (FY) 2017.¹

The purpose of the MWRA is to safeguard public health by preventing human exposure to physical injury or contraction of communicable diseases, which may result from the improper management of potentially infectious medical waste. The regulations also serve to protect Michigan's environment and natural resources from degradation.

¹ The Interdepartmental Medical Waste Advisory Council, as described in Section 13827, was eliminated by Executive Order No. 2009-28, effective July 31, 2009. Responsibility for the completion and submission of annual reports, as required under the MWRA, was assigned to Medical Waste Regulatory Program staff by the Michigan Department of Environmental Quality, Executive Division.

PROGRAM FUNDING

The Medical Waste Regulatory Program (MWRP) is funded through registration fees collected from medical waste producing facilities (see table of active registrants by facility type on page 3.) Funds received are deposited into the Medical Waste Emergency Response Fund. The statute allows for the use of these funds for administration of core MWRP functions, including processing registrations, providing routine compliance assistance to medical waste producing facilities, contracted field inspection activities performed by local health departments (LHDs), investigating reports of improper management and releases of medical waste into the environment, and remediation actions to have improperly disposed medical waste removed, treated, and properly disposed.

Registration fees are set in statute, vary by facility type, and range from \$50 to \$150. Registrations are valid for a three-year period and renewable under the same fee structure. Registration fees generate an average of \$302,000 in revenue annually. This level of funding limits the MWRP to processing registrations, responding to complaints, working with LHDs through approved grant funding allocations to perform inspections, and providing technical assistance to the regulated community and public. The Office of the Auditor General's performance audit of the MWRP from October 1, 2012, through September 20, 2015, found that the current fees are not adequate to support recommended annual inspections of the over 16,300 registered medical waste producers.

To address this and other findings, the MWRP convened a Medical Waste Stakeholder Advisory Group (MWSAG) in FY 2017 to conduct a comprehensive review of the MWRA and provide recommendations for amending the MWRA. The goal of this review will be to make sure Michigan has a modern, comprehensive program that addresses medical wastes from prion diseases and Category A pathogens, such as Ebola, that are easily transmitted from person-to-person and may result in high rates of mortality. As part of their charge, the MWSAG will also be asked to evaluate the pilot inspection grant program and the potential for its expansion to an ongoing statewide inspection program.

SUMMARY OF MEDICAL WASTE MANAGEMENT INCIDENT REPORTS

Three complaints of improper disposal of medical waste were investigated and resolved during the reporting period.

Sparta – Medical Center – February 2017

The MWRP received a complaint alleging the improper disposal of medical waste into a general waste dumpster by a medical center. MWRP staff inspected the facility and determined that excessive volumes of sharps containers had been collected at the facility over a period of approximately three years, in violation of MWRA storage period limitations. The facility corrected the violations.

Comstock Park – Dental Practice – March 2017

A complaint was reported to the MWRP from a business that claimed a biohazard box had been found in their general waste dumpster. Follow up with the neighboring dental facility indicated that the biohazard box was empty and not contaminated. The container was removed from the dumpster and placed with other stored medical waste awaiting pickup and treatment prior to disposal. Staff at the office explained that this was an employee's mistake

and is not an acceptable practice. Staff indicated that measures would be taken to ensure the mistake would not occur again. The complaint was closed.

Eaton County – Rural Dumping – June 2017

An anonymous complaint from a resident who lives near a cornfield near Nashville, Michigan, reported that there was suspicious activity and that a truck marked “BioWaste” was using a two-track to go into the field on occasion. The complainant thought it might be medical waste being improperly dumped into the field. MWRP staff performed an inspection of the area, including driving down to the end of the two-track in the reported location. No medical waste was observed or identified. Further investigation into the matter found that the vehicle was land-applying fertilizer in the area, and the company did not handle medical waste. No further action was needed. The complaint was closed.

ACTIVE REGISTRANTS BY FACILITY TYPE

Facility Type	Active Registrants
Private Practice Medical, Dental, and Veterinary Facilities	10,130
Clinics (e.g., LHDs and Universities)	569
Funeral Homes/Mortuaries	761
Nursing Homes, Hospices, County Medical Care Facilities, and Health Maintenance Organizations	567
Clinical, Analytical, and Research Laboratories	133
Hospitals	187
Freestanding Surgical Outpatient Facilities	115
Mental Health Facilities	128
Ambulance/Paramedic/Fire Departments	109
Animal Control Shelters	3
Pharmacies	1,391
Other (e.g., Dialysis, Blood Collection, Medical Education, and Body Art)	2,168
State Facilities	49
Current Active Registrations	16,310

Source of Information: ***Medical Waste Program Database, December 2017***